

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BENJAMIN I. ABOLAFYA,

Plaintiff,

V.

MARK SELJING, *et al.*

Defendants.

Case No. C03-5646FDB

ORDER GRANTING MOTION FOR
ORDER OF SATISFACTION OF
JUDGMENT

Plaintiff Abolafya settled this matter for the amount of \$1,500.00 [Dkt. # 97] Stipulated Settlement, Order of Dismissal and Consent Judgment] on June 29, 2005. The State learned, after Plaintiff signed the settlement agreement, that Plaintiff has at least three outstanding legal financial obligations whereby he is required to pay financial restitution to victims. Counsel for Defendants spoke with Plaintiff about this and indicated that the State anticipated filing a motion with the King County Superior Court to show cause what Plaintiff's current legal financial obligation is and whether the settlement funds in this case must be paid to the Superior Court to be applied to Plaintiff's outstanding balance.

On January 11, 2006, the King County Superior Court entered its Judgment on Answer and Order to Pay the \$1,500.00 settlement proceeds in this case to the court's registry for application

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1 toward Abolafya's legal financial obligations arising out of his criminal convictions in King County
2 Superior Court. Defendants now move for an Order of Satisfaction of Judgment.

3 Abolafya filed a response to the motion styled "Plaintiff's Motion Contesting Defendant's
4 Proposed Order in which he requests that the Court not enter a satisfaction of judgment and that the
5 Court remit the \$1,500.00 to him.

6 The Record in this case indicates that the Satisfaction of Judgment as requested must be
7 granted. The Settlement funds properly must applied to satisfy Abolafya's outstanding legal financial
8 obligations.

9 The Court Finds:

10 1. That Plaintiff Abolafya is obligated to pay outstanding legal financial obligations
11 including restitution under King County Superior Court cause numbers 93-1-00208-1
12 SEA, 93-1-02098-4 SEA, and 97-1-02974-7 SEA;
13 2. That the King County Superior Court entered its Judgment on Answer and Order to
14 Pay ordering defendants to pay the \$1,500.00 proceeds they hold on Plaintiff's behalf,
15 pursuant to the settlement in this case, to the Superior Court's Registry for
16 application to Plaintiff's outstanding legal financial obligations

17 ACCORDINGLY, IT IS ORDERED: that upon proof that Defendants have satisfied the
18 Superior Court's Judgment on Answer and Order to Pay, this Court shall enter a Satisfaction of
19 Judgment in this matter on Plaintiff Abolafya's behalf.

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21 DATED this 8th day of February, 2006.

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FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE

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